

**CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION
MINUTES OF THE MAY 13, 2014 MEETING**

MEMBERS PRESENT:

Mr. Larry Barrow
Ms. Deborah Blake
Ms. Lauri Harding
Mr. Steve Stapleton
Mr. Edward Stubbs
Mr. Tony Pfeffer, Vice Chair
Mr. Justin Verst, Chair

MEMBERS ABSENT:

Mr. Dennis Bass
Mr. Michael Williams, TPO

STAFF PRESENT:

Ms. Cynthia Minter, Director
Mr. Matt Smith, Legal Counsel
Ms. Stephanie Turner, Secretary

STAFF ABSENT:

Mr. Ryan Hutchinson, Planner

Mr. Verst called the meeting to order at 7:00 PM. Following roll call, a quorum was found to be present. Mr. Verst asked if everyone had reviewed the April 8th, 2014 meeting minutes and asked if there were any additions or corrections. Mr. Verst stated that the minutes should be corrected to reflect that, on page 2 of the minutes, Mr. Barrow could not have seconded his own motion. Upon checking the records, it was Mr. Williams who seconded the motion. Mr. Verst asked if there was any discussion on the corrections to the minutes or if there were any other changes that needed to be made. There being none, Mr. Verst called for a motion. Mr. Barrow made a motion to approve the April 8th meeting minutes as corrected. Mr. Stubbs seconded the motion. A roll call vote found Mr. Barrow, Ms. Blake and Mr. Stubbs in favor of the motion. Ms. Harding, Mr. Stapleton, Mr. Pfeffer and Mr. Verst abstained. Motion passed.

Mr. Verst introduced case #108-14-TXA-03, Campbell County Planning & Zoning Department on behalf of the CC&MP&ZC with a request to update section 300, of the Subdivision Regulations clarifying the balance between minor divisions and necessary street improvements. Mr. Verst called for Ms. Minter to present the staff report and recommendations. Ms. Minter presented the staff report and recommendation as follows:

FILE NUMBER: 108-14-TXA-03

APPLICANT: Campbell County Planning & Zoning Department on behalf of the CC&MP&ZC

REQUEST: Proposed update to sections 300, of the Subdivision Regulations clarifying the balance between minor divisions and necessary street improvements.

On behalf of the Campbell County Planning and Zoning Commission, the Campbell County Planning & Zoning staff is submitting this request for a Public Hearing to modify SECTION 300 - Summary of the Subdivision Review Procedure of the Campbell County Subdivision Regulations. This text amendment is proposed to address a discrepancy in the number of minor divisions and the corresponding requirements for public right of way improvements.

PROPOSED TEXT AMENDMENTS:

Delete lines 36 and 37, "Where a Minor Division of Land involves three or more lots, the provisions of Section 405(H)2 also apply." (See attachment)

STAFF RECOMMENDATION:

To adopt the proposed text amendments to the Campbell County Subdivision Regulations.

SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION:

1. Pursuant to KRS 100.277 and KRS 100.281, the Planning and Zoning Commission has the authority to adopt regulations for the subdivision of land within its boundaries.
2. Pursuant to Campbell County Subdivision Regulations Article I SECTION 130, the Planning and Zoning Commission has the authority to adopt and revise its subdivision regulations. Proper notice has been given for the Public Hearing.
3. The proposed changes are consistent with the 2008 Campbell County Comprehensive Plan Update and the Campbell County Subdivision Regulations.

Mr. Verst thanked Ms. Minter for her report and reminded the Commission that this was a public hearing. Mr. Verst opened the public hearing. There being no audience members to provide feedback, Mr. Verst closed the public hearing and opened the floor for discussion among the Commissioners.

There was no discussion. Mr. Verst commented that the correction seems very straightforward and a matter of clerical correction more than anything else. There still being no comments from the Commissioners, Mr. Verst called for a motion. Mr. Pfeffer made a motion to accept the text change as proposed in the staff report citing as the bases for his motion that 1) pursuant to KRS 100.277 and KRS 100.281, the Planning and Zoning Commission has the authority to adopt regulations for the subdivision of land within its boundaries; 2) that the Campbell County Subdivision Regulations Article I SECTION 130, the Planning and Zoning Commission has the authority to adopt and revise its subdivision regulations and proper notice has been given for the Public Hearing; and 3) that the proposed changes are consistent with the 2008 Campbell County Comprehensive Plan Update and the Campbell County Subdivision Regulations.

Mr. Verst asked if there were any questions or discussion on the motion before them. There being none, Mr. Verst called for a second to the motion. Ms. Blake seconded the motion. Mr. Verst called for a roll call vote. A roll call vote found Mr. Barrow, Ms. Blake, Ms. Harding, Mr. Stapleton, Mr. Stubbs and Mr. Pfeffer in favor of the motion. Mr. Verst abstained. Motion passed.

Mr. Verst introduced case #108-14-TXA-04, Campbell County Planning & Zoning Department on behalf of the CC&MP&ZC with a request to update section 415, Item D, of the Subdivision Regulations clarifying modifying the volume, arrangement and sizes of flag lots. Mr. Verst called for Ms. Minter to present the staff report and recommendations. Ms. Minter presented the staff report and recommendation as follows:

FILE NUMBER: 108-14-TXA-04
APPLICANT: Campbell County Planning & Zoning Department on behalf of the CC&MP&ZC
REQUEST: Proposed update to section 415, Item D, of the Subdivision Regulations clarifying modifying the volume, arrangement and sizes of flag lots.

On behalf of the Campbell County Planning and Zoning Commission, the Campbell County Planning & Zoning staff is submitting this request for a Public Hearing to modify SECTION 415 Lot Arrangement and Sizes (D) Flag Lots of the Campbell County Subdivision Regulations. This proposed text amendment is to provide needed flexibility in the division of land based upon the common geographic characteristics of land in Campbell County.

PROPOSED TEXT AMENDMENTS:

Referencing SECTION 415 Lot Arrangement and Sizes (D) Flag Lots, proposed revisions include allowing for planning staff review of flag lots, increasing the maximum number of flag lots from 5% to 15% within a major division, and refining language related to the adjacent flag lots based upon the potential increase in the volume of lots. (See attachment for specific proposed text changes.)

STAFF RECOMMENDATION:

To adopt the proposed text amendments to the Campbell County Subdivision Regulations.

SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION:

1. Pursuant to KRS 100.277 and KRS 100.281, the Planning and Zoning Commission has the authority to adopt regulations for the subdivision of land within its boundaries.
2. Pursuant to Campbell County Subdivision Regulations Article I SECTION 130, the Planning and Zoning Commission has the authority to adopt and revise its subdivision regulations. Proper notice has been given for the Public Hearing.
3. The proposed changes are consistent with the 2008 Campbell County Comprehensive Plan Update and the Campbell County Subdivision Regulations.

Mr. Verst thanked Ms. Minter for her report and reminded the Commission that this was a public hearing. Mr. Verst opened the public hearing. There being no audience members to provide feedback, Mr. Verst closed the public hearing and opened the floor for discussion among the Commissioners.

Mr. Verst started the discussion with a request for additional input from the Commissioners. The changes proposed by staff have been in discussion since shortly after the Subdivision Regulation update of July 2012. Mr. Verst stated that he fully supports these changes and know that they are in the best interest of the County to make these changes. However, while we are updating this section, would it not be in our interest to also review the entire section? Mr. Verst added that there was one other item that he feels needs to be addressed – the length of the flag stem. Currently, our regulations indicate the flag stem should be no more than 250 feet before widening out to the required width of the lot according to the zoning ordinance. Mr. Verst proposed that this figure needs to either be increased or the requirement for limiting the length be deleted altogether.

Ms. Minter had, in a previous training session, indicated the progression of the flag lot requirement from its origin in our 1982 Subdivision Regulations, as well as compared our current standards in relation to other entities. Ms. Minter reviewed this information again with the Commissioners briefly. Ms. Minter commented that while she agrees that she has heard from developers that the length of 250 feet is considered stringent in their opinion. With that being said, Ms. Minter strongly encouraged the Commission to set a new maximum standard to be required and not delete the maximum stem length altogether. Plans have been submitted to staff for preliminary review that would definitely be an abuse of the flag lot requirements if there were no maximum length requirement. The issues that arise from not regulating flag lots are long term and horrific to resolve.

After an in-depth and lengthy discussion, there was a general consensus among the Commissioners that the length of the flag stem needed to be updated in addition to the text changes proposed by staff. After a brief discussion, it was determined that there would be one motion to be made for the changes outlined by staff and a separate one to address the flag stem length requirement. Mr. Pfeffer pointed out that there was an additional change pertaining to the changes proposed by staff. Staff corrected the numeric items on line 46, page 4.25 and line 23 of page 4.26 to change “5%” to “15%”, but that the change to the alphabetical wording. Mr. Pfeffer added that “five” should be changed to “fifteen” in both of those same locations. Both staff and the remaining Commissioners agreed.

Mr. Verst asked if there were any other questions or comments. There being none, Mr. Verst called for a motion. Mr. Barrow made a motion to accept the text change as proposed in the staff report as well as the changes indicated on pages 4.25 and 4.26 by Mr. Pfeffer. Mr. Barrow cited the basis for his motion is that 1) pursuant to KRS 100.277 and KRS 100.281, the Planning and Zoning Commission has the authority to adopt regulations for the subdivision of land within its boundaries; 2) that the Campbell County Subdivision Regulations Article I SECTION 130, the Planning and Zoning Commission has the authority to adopt and revise its subdivision regulations and proper notice has been given for the Public Hearing; and 3) that the proposed changes are consistent with the 2008 Campbell County Comprehensive Plan Update and the Campbell County Subdivision Regulations.

Mr. Verst asked if there were any questions or discussion on the motion before them. There being none, Mr. Verst called for a second to the motion. Mr. Stapleton seconded the motion. Mr. Verst called for a roll call vote. A roll call vote found Mr. Barrow, Ms. Blake, Ms. Harding, Mr. Stapleton, Mr. Stubbs and Mr. Pfeffer in favor of the motion. Mr. Verst abstained. Motion passed.

Mr. Verst asked if there were any motions on the flag stem requirement. Mr. Stapleton made a motion to change line 39 on page 4.25 and line 20 on page 4.26 to change 250 feet to be 350 feet in both numerical and alphabetical citing of the maximum flag stem length. Mr. Stapleton stated the bases for his motion is that 1) discussion among the Commission tonight; 2) pursuant to KRS 100.277 and KRS 100.281, the Planning and Zoning Commission has the authority to adopt regulations for the subdivision of land within its boundaries; 3) that the Campbell County Subdivision Regulations Article I SECTION 130, the Planning and Zoning Commission has the authority to adopt and revise its subdivision regulations and proper notice has been given for the Public Hearing; and 4) that the proposed changes are consistent with the 2008 Campbell County Comprehensive Plan Update and the Campbell County Subdivision Regulations.

Mr. Verst asked if there were any questions or comments regarding the motion. There being none, Mr. Verst called for a second to the motion. Ms. Harding seconded the motion. Mr. Verst called for a roll call vote. A roll call vote found Mr. Barrow, Ms. Harding, Mr. Stapleton, Mr. Stubbs and Mr. Pfeffer in favor of the motion. Ms. Blake was against the motion. Mr. Verst abstained. Motion passed.

Mr. Verst introduced case #108-14-TXA-05, Campbell County Planning & Zoning Department on behalf of the CC&MP&ZC with a request to update section 405 and Appendix C, of the Subdivision Regulations aligning applicable pavement and cul-de-sac dimensions. Mr. Verst called for Ms. Minter to present the staff report and recommendations. Ms. Minter presented the staff report and recommendation as follows:

FILE NUMBER: 108-14-TXA-05
APPLICANT: Campbell County Planning & Zoning Department on behalf of the CC&MP&ZC
REQUEST: Proposed update to section 405 and Appendix C, of the Subdivision Regulations aligning applicable pavement and cul-de-sac dimensions.

On behalf of the Campbell County Planning and Zoning Commission, the Campbell County Planning & Zoning staff is submitting this request for a Public Hearing to modify SECTION 405 – Street Design (M) Cul-De-Sac Streets of the Campbell County Subdivision Regulations. This text amendment is proposed to balance the street design for pavement width and the corresponding termination of the cul-de-sac.

PROPOSED TEXT AMENDMENTS:

Residential subdivision with cul-de-sacs more than nine hundred feet (900') from an intersection shall be built with a radius equal to a commercial/industrial design. For residential subdivision cul-de-sac with commercial/industrial design, up to an eight feet radius may be substituted with a clear zone. Clear zones are not required to be paved but must be graded to align with the street/cul-de-sac. Clear zones must remain free of obstacles including sidewalks, landscaping and other fixtures. (See attachment)

STAFF RECOMMENDATION:

To adopt the proposed text amendments to the Campbell County Subdivision Regulations.

SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION:

1. Pursuant to KRS 100.277 and KRS 100.281, the Planning and Zoning Commission has the authority to adopt regulations for the subdivision of land within its boundaries.
2. Pursuant to Campbell County Subdivision Regulations Article I SECTION 130, the Planning and Zoning Commission has the authority to adopt and revise its subdivision regulations. Proper notice has been given for the Public Hearing.
3. The proposed changes are consistent with the 2008 Campbell County Comprehensive Plan Update and the Campbell County Subdivision Regulations.

Mr. Verst thanked Ms. Minter for her report and reminded the Commission that this was a public hearing. Mr. Verst opened the public hearing. There being no audience members to provide feedback, Mr. Verst closed the public hearing and opened the floor for discussion among the Commissioners.

Mr. Pfeffer initiated a discussion as to the nature and reasoning of the clearance area of 8 feet. Ms. Minter clarified that the objective was for school buses and snow plow equipment to be capable of turning

in the cul-de-sac without the encumbrances of fire hydrants, mailboxes, light poles, etc. in the area surrounding the concrete paved cul-de-sac. It is a safety issues for these larger type vehicles.

After a brief discussion, Mr. Verst asked if anyone had any questions or comments regarding the proposed text change. There being no additional questions or comments from the Commissioners, Mr. Verst called for a motion. Mr. Barrow made a motion to accept the text change as proposed in the staff report citing as the bases for his motion that 1) pursuant to KRS 100.277 and KRS 100.281, the Planning and Zoning Commission has the authority to adopt regulations for the subdivision of land within its boundaries; 2) that the Campbell County Subdivision Regulations Article I SECTION 130, the Planning and Zoning Commission has the authority to adopt and revise its subdivision regulations and proper notice has been given for the Public Hearing; and 3) that the proposed changes are consistent with the 2008 Campbell County Comprehensive Plan Update and the Campbell County Subdivision Regulations.

Mr. Verst asked if there were any questions or discussion on the motion before them. There being none, Mr. Verst called for a second to the motion. Mr. Stubbs seconded the motion. Mr. Verst called for a roll call vote. A roll call vote found Mr. Barrow, Ms. Blake, Ms. Harding, Mr. Stapleton, Mr. Stubbs and Mr. Pfeffer in favor of the motion. Mr. Verst abstained. Motion passed.

There being no other cases to come before the Planning Commission, Mr. Verst called for the Director's Report.

DIRECTOR'S REPORT

Ms. Minter advised the Commission that they has a couple of handouts before them that were three-hole punched. These items are updates to their paper copies of the Zoning Ordinance. There was also a handout from OKI regarding some studies coming up regarding KY 536. If the Commissioners attend any meeting or classes pertaining to this topic, they can get training credit for it. Ms. Minter advised them to forward a copy of the agenda of the meeting along with the date and location of the meeting and the time they spent in the class/meeting and a training sheet would be completed for them. The Commission has a training CD pertaining to Comprehensive Plans. If any of the Commissioners are interested in using the CD, please just let staff know.

Ms. Minter stated that there could be a meeting in June. The Commission would be advised as to the nature of the meeting at a later date. Staff had no additional business to discuss with the Commission. Mr. Verst asked the Commissioners if they had any other business to discuss. There being none, Mr. Verst asked for a motion to adjourn. Mr. Pfeffer made a motion to adjourn. Mr. Stubbs seconded the motion. An oral vote found everyone in favor, none opposed. Motion passed. Meeting adjourned at 8:20 PM.

Respectfully Submitted,

Approved:

Cynthia Minter
Director of Planning & Zoning

Justin Verst
Chair